

REMARKS

Claims 1-9 and 11-30 are pending in the present application.

This Amendment is in response to the Office Action mailed January 29, 2007. In the Office Action, the Examiner rejected claims 1-2, 6-9 and 11-30 under 35 U.S.C. § 102(b) and claims 3-5 under 35 U.S.C. § 103(a). Applicant has amended claims 1 and 19. Reconsideration in light of the remarks made herein is respectfully requested.

I. REJECTIONS UNDER 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-2, 6-9 and 11-30 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,523,227 issued to Hurst ("Hurst"). Applicant respectfully traverses the rejections for the following reasons.

Hurst discloses an averaging approach to alleviating motion discontinuities. On the psychophysical effect that the eye sees less detail in moving objects, and on the use of frame stores to perform this averaging in all directions. Averaging two decimal numbers is done by adding the numbers and dividing by two. Averaging two binary numbers is done the same way; only the operation is easier, because dividing by two binary number systems is carried out simply by dropping the LSB (Col. 9, lines 3-18). This however, is not the same as the stored value in the present invention, where the stored value is the value of the slope of an input video data rate and a video data rate associated with the display device reduced by a common factor. Furthermore, the average of two numbers is not the same as the reducing the slope by a common factor where the slope is dy over dx .

In other words, the common factor in the present invention is not the average of two binary numbers divided by 2. Furthermore, the common factor in the present invention is calculated to solve the complication that the MSM is a 16-bit machine and that the limited numbers of range that can be represent in 16 bits. As to Hurst, the averaging approach is to alleviating motion discontinuities that may affect the eye that sees less detail in moving objects.

Applicant maintains our position as stated in the previous response that Hurst does not disclose, suggest, or render obvious inserting and deleting data sets based on computations performed using a stored values where at least one stored value is the value of the slope of the input video data rate and the video data rate associated with the displaying device reduced by a common factor and that the slope is dy over dx.

To support a 102 rejection, the Examiner must show that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bro. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987), (MPEP §2131). In addition, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), (MPEP §2131). Here the Examiner has not pointed out the specific language in Hurst that teaches at least one stored value where the value is the slope of an input video data rate and the video data rate associated with a displaying device reduced by a common factor and that the slope is dy over dx.

Since the Examiner has failed to show the identical invention in as complete detail as is contained in the claim, the rejection under 35 U.S.C. §102(b) was

improperly made. Therefore, Applicant respectfully requests that rejection be withdrawn.

II. REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected claims 3-5 under 35 U.S.C. § 103(a) as being unpatentable over Hurst and an "Official Notice". Applicant respectfully traverses the rejection for the same reason as stated above.

Hurst and the Examiner's "Official Notice", taken alone or in combination, do not disclose, suggest, or render obvious at least one stored value where the value is the slope of an input video data rate and the video data rate associated with a displaying device reduced by a common factor and the slope is dy over dx . This aspect of the invention is supported in the specification on page 12 and is recited in the previously amended independent claims 1 and 19.

Therefore, Applicant believes that independent claims 1, 19 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 102(b) and § 103(a) be withdrawn.

CONCLUSION

In view of the remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,

DISCOVISION ASSOCIATES

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